



TOWN OF UPTON, MASSACHUSETTS

Special Town Meeting 17 November 2015 Warrant

IN THE NAME OF THE COMMONWEALTH OF MASSACHUSETTS, you are hereby directed to notify and warn the inhabitants of said Town, qualified to vote in Elections and in Town affairs, to meet in the Auditorium at the Nipmuc Regional Middle/High School, 90 Pleasant Street, in Upton on Tuesday, the seventeenth day of November 2015, at 7:00 o'clock in the evening, then and there to act on the following Articles:

ARTICLE 1: To see if the Town will vote to amend the Fiscal Year 2016 operating budget as voted under Article 3 of the 2015 Annual Town Meeting by transferring the total sum of Sixty-two thousand nine hundred seven dollars (\$62,907.00) from the Housing Authority line to the line items and in the amounts substantially as specified in the chart below; or take any other action related thereto.

<u>Transfer from Housing Authority</u> <u>Line</u> <u>To:</u>	<u>Amount</u>
Interest Paid	\$3,000.00
Accountant Wages	371.67
Animal Control Wages	181.83
Board of Assessor Wages	467.83
Board of Health Wages	529.57
Board of Selectmen Wages	903.50
Cable Advisory Wages	0.49
Code Enforcement Wages	191.73
Conservation Comm. Wages	1,393.06
Council on Aging Wages	1,365.46
Dept. of Public Works Wages	4,122.03
DPW, PFC Wages	1,366.09
Emergency Management Wages	66.58
Emergency Medical Wages	805.15
Fire Dept. Wages	15,386.96
Library Wages	1,768.75
Nurse Health Service Wages	424.53
Personnel Board Wages	16.23
Planning Board Wages	174.26
Police Dept. Wages	13,554.07
Town Clerk Wages	694.36
Treasurer Collector Wages	497.81
Treasurer Collector Salaries	545.22
Veterans Agent Wages	79.82
Town Counsel Expense	15,000.00
Total	\$62,907.00

Explanation/
Submitted by:

To make transfers among accounts in the FY 2016 budget year to reconcile formula errors in the budget file, provide a cost of living adjustment for employees equal to one percent of payroll and adjust for shortfalls in appropriations or unforeseen expenses/Board of Selectmen.

Recommendation: Favorable Action

ARTICLE 2: To see if the Town will vote to amend the votes taken under Articles 4 and 5 of the May 7, 2015 Annual Town Meeting appropriating the Fiscal Year 2016 Water and Wastewater Enterprise Fund budgets, respectively, to make supplemental appropriations for the remainder of Fiscal Year 2016 for the purposes of increasing the budget line for General Labor; and as funding therefor, to appropriate from available unappropriated funds in the Town Treasury, or transfer from Retained Earnings or otherwise the total sum of Two thousand two hundred fifty-six dollars and seventy-five cents (\$2,256.75) to the Water Enterprise Fund and the total sum of Two thousand sixty-one dollars and ten cents (\$2,061.10) to the Wastewater Enterprise fund; or, to take any other action relative thereto.

Explanation/
Submitted by: To increase the appropriation for Wastewater and Water Enterprise Fund budgets to provide a cost of living adjustment for employees equal to one percent of payroll.

Recommendation: Favorable Action

ARTICLE 3: To see if the Town will vote to amend the vote taken under Article 19 of the May 8, 2015 Annual Town Meeting by reducing the amount to be raised and appropriated by the sum of One hundred seventy-five thousand dollars (\$175,000.00), or any other sum, for the purchase of self-contained breathing apparatus (SCBA) and any related equipment required to utilize this equipment for firefighting operations; or, to take any other action relative thereto.

Explanation/
Submitted by: To reduce the appropriation to purchase self-contained breathing apparatus (SCBA) for the Fire Department by \$175,000 as the result of obtaining a FEMA AFG grant for this purpose/Board of Selectmen.

Recommendation: Favorable Action

ARTICLE 4: To see if the Town will vote to raise and appropriate, appropriate from available unappropriated funds in the Town Treasury, or transfer, or borrow the sum of Twenty-three thousand nine hundred dollars (\$23,900.00), or any other sum, for the purchase and equipping of a vehicle assigned to the Town Manager, or, to take any other action relative thereto.

Explanation/
Submitted by: To purchase a vehicle to be assigned to the Town Manager to replace a 2005 Crown Victoria/Board of Selectmen.

Recommendation: Favorable Action

ARTICLE 5: To see if the Town will vote to raise and appropriate, appropriate from available unappropriated funds in the Town Treasury, or transfer, or borrow the sum of Twenty thousand dollars (\$20,000.00), or any other sum, for the purchase and equipping of a

used vehicle assigned to the Animal Control Officer, or, to take any other action relative thereto.

Explanation/

Submitted by: To purchase a vehicle to be assigned to the Animal Control Officer to replace a 2001 Chevrolet Blazer/Board of Health.

Recommendation: Favorable Action

ARTICLE 6: To see if the Town will vote to raise and appropriate, appropriate from available unappropriated funds in the Town Treasury, or transfer, or borrow the sum of Thirty thousand five hundred dollars (\$30,500.00), or any other sum, for the purchase of a storage trailer and a temporary vehicle garage to be located at the Public Works Garage property including all expenses incidental and related thereto, or, to take any other action relative thereto.

Explanation/

Submitted by: To purchase a storage trailer and temporary vehicle storage structure to house vehicles and small equipment that does not fit in the current DPW Garage/Board of Selectmen.

Recommendation: To Be Determined

ARTICLE 7: To see if the Town will vote to raise and appropriate, appropriate from available unappropriated funds in the Town Treasury, or transfer, or borrow the sum of Seven thousand five hundred dollars (\$7,500.00), or any other sum, for the painting and equipping of a used Oshkosh truck and the purchase of any related equipment required to retrofit it for use in snow plowing operations; or, to take any other action relative thereto.

Explanation/

Submitted by: To paint and equip a used Oshkosh truck to be used in snow plowing operations /Board of Selectmen.

Recommendation: Favorable Action

ARTICLE 8: To see if the Town will vote to raise and appropriate, appropriate from available unappropriated funds in the Town Treasury, or transfer, or borrow the sum of Ten thousand dollars (\$10,000.00), or any other sum, for the Town of Upton's share to conduct an engineering assessment and budget estimate for repairs to the Fisk Mill Bridge that is jointly owned by the Towns of Milford and Upton; or, to take any other action relative thereto.

Explanation/

Submitted by: To pay one half the cost of an engineering assessment to determine a budget for repairs to the Fisk Mill Bridge. The bridge is jointly owned by the Towns of Milford and Upton/Board of Selectmen.

Recommendation: Favorable Action

ARTICLE 9: To see if the Town will vote to raise and appropriate, appropriate from available unappropriated funds in the Town Treasury, or transfer, or borrow the sum of Seven thousand nine hundred forty dollars and twenty-three cents (\$7,940.23), or any other sum, for the painting and equipping of Fire Department Tanker #2 truck including any expenses incidental and related thereto; or, to take any other action relative thereto.

Explanation/
Submitted by: To make improvements to Tanker #2 including painting and installation of a storage body/Board of Selectmen.

Recommendation: Favorable Action

ARTICLE 10: To see if the Town will vote to raise and appropriate, appropriate from available unappropriated funds in the Town Treasury, or transfer, or borrow the sum of Two thousand eight hundred seventy-five dollars (\$2,875.00), or any other sum, for the purchase of armored vests for use by the Police Department; or, to take any other action relative thereto.

Explanation/
Submitted by: To purchase three armored vests for the Police Department. The Department must replace all 12 vests every five years. The remaining nine vests have been obtained through a federal grant/Board of Selectmen

Recommendation: Favorable Action

ARTICLE 11: To see if the Town will vote to raise and appropriate, appropriate from available unappropriated funds in the Town Treasury, or transfer, or borrow the sum of Nine thousand seven hundred fifty dollars (\$9,750.00), or any other sum, for the Planning Board to participate in the Central Massachusetts Regional Planning Commission (CMRPC) Planning Board Assistance Program; or, to take any other action relative thereto.

Explanation/
Submitted by: To acquire 150 hours professional planning services from CMRPC to support the activities of the Planning Board/Planning Board

Recommendation: Favorable Action

ARTICLE 12: To see if the Town will vote to raise and appropriate, appropriate from available unappropriated funds in the Town Treasury, or transfer, or borrow the sum of Five thousand dollars (\$5,000.00) or any other sum, for a supplemental appropriation to the Conservation Fund, or, to take any other action relative thereto.

Explanation/
Submitted by: To provide additional funding for the Town's Conservation Fund/Conservation Commission.

Recommendation: To Be Determined

ARTICLE 13: To see if the Town will vote to authorize the Town Manager, with the approval of the Board of Selectmen, pursuant to General Laws Chapter 59, Section 38H(b), or any other enabling authority, to (i) enter into one or more PILOT agreements for payment of taxes related to personal and/or real property associated with the construction and operation of solar renewable energy generation facilities to be installed on privately owned parcels of land in the Town of Upton, shown on Assessor's Map 25 as Parcel 31 and Assessor's Map 29 as Parcel 37, with each agreement being for a term of up to twenty (20) years and on such terms and conditions and for such consideration as the Board of Selectmen deems in the best interests of the Town, and (ii) take any other actions and execute any other documents necessary, convenient, or appropriate to implement and administer such agreements; or, to take any other action relative thereto.

Explanation/

Submitted by: To authorize the Town to enter into a payment in lieu of taxes "PILOT" agreement with a company to install a solar facility on two parcels of property located at the intersection of Route 140 and Chestnut Street/Board of Assessors

Recommendation: Favorable Action

ARTICLE 14: To see if the Town will vote to transfer from the Community Preservation Fund FY2016 estimated annual revenues not less than 10% to each of the following Community Preservation Fund reserve accounts to meet the requirements of M.G.L. c.44B, §6:

Historic Resources Reserve
Open Space Reserve
Community Housing Reserve;

and, further, to place any remaining FY2016 estimated annual revenues in a so-called "FY2016 Undesignated Budgeted Reserve", or, to take any other action relative thereto.

Explanation/

Submitted by: To set aside 10% of CPA FY16 estimated annual revenues into each of the three standard reserve accounts, and to place the remainder into an "undesignated" reserve /Community Preservation Committee.

Recommendation: Favorable Action

ARTICLE 15: To see if the Town will vote to raise and appropriate, appropriate from available unappropriated funds in the Town Treasury, or transfer from the Community Preservation Fund or otherwise, or from any combination thereof, the sum of Two Hundred ninety-one thousand seven hundred seventy-five dollars (\$291,775.00), or any other sum, to meet the third year payment of debt service owed on the General Obligation Town Hall Renovation Bonds, or, to take any other action relative thereto.

Explanation/

Submitted by: To make the third year principal and interest payments (i.e., debt service) on the Town Hall bonds, to be paid from CPA monies/Community Preservation Committee.

Recommendation: Favorable Action

ARTICLE 16: To see if the Town will vote to transfer the sum of One hundred fifty-nine thousand dollars (\$159,000.00) from the Community Preservation Fund – Undesignated Account for rehabilitation and capital improvement of land for recreational purposes, specifically for the bidding, construction and construction administration necessary to install a new access road and parking lot adjacent to the upper field at Kiwanis Beach and all incidental and related expenses, to be completed under the supervision of the Recreation Commission, such sums to be added to those previously appropriated for such purposes and such project to be completed within three years; or, to take any other action relative thereto.

Explanation/

Submitted by: To complete the bidding, construction and construction administration phases to install a new access road and parking lot adjacent to the upper field at Kiwanis Beach/Community Preservation Committee.

Recommendation: To Be Determined

ARTICLE 17: To see if the Town will vote to raise and appropriate, appropriate from available unappropriated funds in the Town Treasury, or transfer from the Community Preservation Fund – Open Space Account, or otherwise, or from any combination thereof, the sum of Twenty-four thousand dollars (\$24,000.00) for restoration and rehabilitation of land for recreational purposes, specifically for the treatment of Lake Wildwood for the eradication of invasive weeds, such project to be completed within one year; or, to take any other action relative thereto.

Explanation/

Submitted by: To treat Lake Wildwood to eradicate fanwort weeds/Community Preservation Committee.

Recommendation: Favorable Action

ARTICLE 18: To see if the Town will vote to transfer the sum of Seventeen thousand five hundred dollars (\$17,500.00) from the Community Preservation Fund – Open Space Account for engineering services to evaluate access road alternatives and to design an access road at Stefan's Farm, to be completed under the supervision of the Land Stewardship Committee, such project to be completed within three years; or, to take any other action relative thereto.

Explanation/

Submitted by: To hire an engineer to analyze three options for roadway access into the Stefan's Farm property off Mechanic and Orchards Streets and develop a design on the preferred option/Community Preservation Committee.

Recommendation: To Be Determined

ARTICLE 19: To see if the Town will vote to raise and appropriate, appropriate from available unappropriated funds in the Town Treasury, or transfer the sum of Seventy thousand dollars (\$70,000.00), or any other sum, for the payment of principal and interest costs on the 2000 Platform Quint Fire Apparatus authorized for purchase at the May 8, 2014 Annual Town Meeting, Article 24; or, to take any other action relative thereto.

Explanation/

Submitted by: To apply additional funds to the outstanding principal and interest costs of this fire truck/Board of Selectmen

Recommendation: To Be Determined

ARTICLE 20: To see if the Town will vote pursuant to M.G.L. Chapter 40, Section 5B to transfer the sum of Five hundred forty-nine thousand two hundred fifty-two dollars and seventy cents (\$549,252.70), or any other sum, from the MURSD School Stabilization Fund to the General Stabilization Fund; or, take any other action relative thereto.

Explanation/

Submitted by: To transfer the School Stabilization Funds to the General Stabilization Fund/Board of Selectmen.

Recommendation: Favorable Action

And you are directed to serve this Warrant, by posting up attested copies thereof at the U.S. Post Office, Town Library and Town Hall, in said Town seven days (7) at least before the time of holding said Meeting.

HEREOF FAIL NOT, and make due return of this Warrant, with your doings thereon, to the Town Clerk, at the time and place of meeting, as aforesaid.

Given under our hands this twenty-eighth day of October in the year of our lord two thousand fifteen.

UPTON BOARD OF SELECTMEN

A true copy, Attest:




Kenneth E. Picard, Chairman



James A. Brochu, Member



Robert J. Fleming, Member




Sandra Hakala, Constable
Date: October 28, 2015

Constable Attest Page

Worcester, ss.

Pursuant to the within Warrant, I have notified and warned the inhabitants of the Town of Upton by posting up attested copies of the same at the Town Hall Building, Library Building, and the Upton U.S. Post Office at least seven days (7), before the date of the meeting, as within directed


Sandra Hakala
Constable of Upton
October 22, 2015